

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

PHISH, INC., a Delaware corporation,

Plaintiff,

v.

VARIOUS JOHN DOES, JANE DOES, AND
ABC COMPANIES,

Defendants.

Case No. 2:23-cv-00547-JHC

**ORDER RELEASING SEIZED GOODS
AND DISMISSING CASE WITHOUT
PREJUDICE**

The Court, having reviewed the Renewed Motion to Dismiss Case and Release Seized Merchandise (Dkt. # 29) filed by Plaintiff Phish Inc. ("Plaintiff") and based on the following:

1. Plaintiff has previously obtained orders against unknown individuals and entities (collectively, "Defendants"), which, among other things, permitted the seizure of goods bearing counterfeit reproductions of trademarks owned and controlled by Plaintiff ("Counterfeit Merchandise") with respect to Plaintiff's 2023 Tour;
2. Plaintiff seized Counterfeit Merchandise pursuant to such seizure order(s);
3. Plaintiff has advised the Court that Plaintiff will not pursue further remedies against the Defendants;
4. No Defendant has answered, appeared, formally challenged, or otherwise provided notice of objection to Plaintiff's enforcement of the seizure order(s) or the seizure of Counterfeit Merchandise in this action;

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5. Plaintiff has filed a Motion to Disburse Registry Funds, which the Court has separately granted; and

6. While the present motion is noted for March 22, 2024, the Court sees no reason to wait to rule on it (as mentioned above, no defendant has appeared; nor did any person object to the previous motion to dismiss);

HEREBY GRANTS Plaintiff's renewed motion and ORDERS that:

1. All Counterfeit Merchandise seized by Plaintiff from Defendants shall be hereby released to Plaintiff for destruction, donation, or other disposition; and

2. This case is dismissed without prejudice in accordance with Federal Rule of Civil Procedure 41(a)(2).

IT IS SO ORDERED.

Dated this 27th day of February, 2024.

John H. Chun

John H. Chun
United States District Judge